

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARLOS R. RIVASPLATA, LETITIA S.
ACEVEDO, GRAMINEUS HOMO,
U.S. Vessel,

Plaintiffs,

v.

OCWEN, U.S. Vessel, DOES, ROES
and MOES 1-100, et al.,

Defendant.

No. C 08-00490 WHA

**ORDER RE DEFENDANT
OCWEN LOAN SERVICES, LLC'S
MOTION TO DISMISS AND
VACATING HEARING**

Defendant Ocwen Loan Servicing, LLC filed a motion to dismiss on June 2, 2008. An earlier order, however, had already entered a *sua sponte* order of dismissal on May 8, 2008, stating that plaintiff's "petition for libel of review of an administrative judgment" was incomprehensible and did not state any discernible claim upon which relief could be granted (Dkt. No. 12). Plaintiffs were granted leave to amend and were given the due date of May 29, 2008, for an amended complaint. No amended complaint has been forthcoming. Accordingly, the complaint is dismissed with prejudice. Defendant's motion to dismiss is deemed **MOOT** and the hearing set for July 17, 2008, is hereby **VACATED**.

IT IS SO ORDERED.

Dated: June 30, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE